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**RECEIVED**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MAR 17 2008 *new*  
MAR 17 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

Paul Smith

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

08CV1557

JUDGE ZAGEL

MAGISTRATE JUDGE DENLOW

vs.

Case

(To be supplied by the clerk of this court)

C.C. Doc

% J.H. StROGER

% T. StROGER

% Sheriff M. Sheen

% Sheriff T. Dart

% Div II Supt McGuire Chief

(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

**CHECK ONE ONLY:**

           COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983  
U.S. Code (state, county, or municipal defendants)

  X   COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE  
28 SECTION 1331 U.S. Code (federal defendants)

           OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR  
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

**I. Plaintiff(s):**

- A. Name: Paul Smith
- B. List all aliases: \_\_\_\_\_
- C. Prisoner identification number: B52357
- D. Place of present confinement: Menard II C.C.
- E. Address: P.O. Box 711 62259

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, and current address according to the above format on a separate sheet of paper.)

## II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: J.H. STROGER J.R.  
 Title: Time of incident Cook County Board President  
 Place of Employment: Cook County Board
- B. Defendant: T. STROGER  
 Title: New Appointed Cook County Board President  
 Place of Employment: Cook County Board
- C. Defendant: Sheriff M. Shean OR Small - Oct 05  
 Title: Cook County Sheriff in Oct 05  
 Place of Employment: Cook County Sheriff office

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

% Sheriff T. Dart  
Cook County Sheriff  
Cook County Sheriff Office

% Supt. McGris  
Cook County D.O.C Div II Superintendent Oct, 19, 05  
Cook County D.O.C

% The Chief At the time Oct 19, 05  
in charge of Security of Div II Oct 19, 05  
CC. D.O.C.

The Above Names WAS either in  
office At/on Oct 19, 2005 day of Attack  
OR And took the Responsibility of  
those offices Since day of Attack.  
And November 2006 day of Stabbing.  
They ARE included only because there  
Job entitle me to A Safe Stay While/  
in Custody At C.C. D.O.C. They WeRe  
There WeRe Negligence OR And lack  
of due CARE in CAusing MY INJURY. There  
LACK of duty CAUSE MY INJURY

### III. Exhaustion of Administrative Remedies

You are required to exhaust all your available administrative remedies before bringing an action in federal court.

A. Is there a grievance procedure available at your institution?

YES (✓) NO ( ) If there is no grievance procedure, skip to F.

B. Have you filed a grievance concerning the facts in this complaint?

YES (✓) NO ( )

C. If your answer is YES:

1. What steps did you take?

I file several to the Counselor, Supt  
And Chief of div II

2. What was the result?

I never got a respond

3. If the grievance was not resolved to your satisfaction, did you appeal? What was the result (if there was no procedure for appeal, so state.)

The grievance was never appeal because  
it was never resolved.

D. If your answer is NO, explain why not:

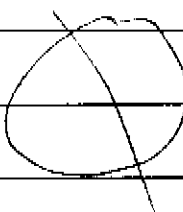
Because no one responded to  
the grievance.

E. Is the grievance procedure now completed? YES (✓) NO ( )

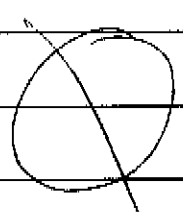
F. If there is no grievance procedure in the institution, did you complain to authorities? YES ( ) NO ( )

G. If your answer is **YES**:

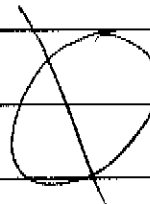
1. What steps did you take?



2. What was the result?



H. If your answer is **NO**, explain why not:



**IV. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court (including the Central and Southern Districts of Illinois):**

- A. Name of case and docket number: \_\_\_\_\_
- B. Approximate date of filing lawsuit: \_\_\_\_\_
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: \_\_\_\_\_
- D. List all defendants: \_\_\_\_\_
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): \_\_\_\_\_
- F. Name of judge to whom case was assigned: \_\_\_\_\_
- G. Basic claim made: \_\_\_\_\_
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): \_\_\_\_\_
- I. Approximate date of disposition: \_\_\_\_\_

**IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.**

## V. Statement of Claim:

State here as briefly as possible the facts of your case. Describe precisely how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

ON 10.19.05 Plaintiff WAS BRUTLY ATTACKED BY FOUR TO SIX INMATES AFTER RETURNING FROM THE IN HOUSE MED UNIT IN DIV II. J.H. STROGER WAS THE APPOINTED PRESIDENT OF THE COOK COUNTY BOARD. AFTER HIS RETIREMENT GO TO A MEDICAL LEAVE HE WAS REPLACED BY T. STROGER, THEY WERE RESPONSIBLE FOR ALL CITY ADMINISTRATION INCLUDING THE COOK COUNTY SHERIFF DEPARTMENT COOK COUNTY JAIL. THEN 10.19.05 SHERIFF M. SHAAN - NOW SHERIFF T. DORT IN DIV II ON ABOVE DATE ABOUT 3:30 PM. AFTER BEING APPROACHED BY FOUR TO SIX INMATES THAT HAD BROKEN OUT THERE CELL BECAUSE AFTER THE HAZEN/ATTACK WAS OVER THE CHIEF HAD THE SHERIFF TO SEE WHO WAS ASSIGNED OUT THERE CELL. NO ONE WAS IN DAY ROOM. A INMATE WHO WITNESSED EVERYTHING TOLD SHERIFF THEY DID BREAK OUT. BUT HE WOULD NOT TELL WHO, BECAUSE HE FEARED FOR HIS SAFETY IN P.C.

There was suppose to be A officer Assign to the wing but the only officer on duty was in the tower. He was unable to Monitor All four wings. When I Returned from the in house Med Unit the tower officer unlock the wing door from tower And ordered me on to wing After I got on wing And was having A Conversation With MR. Crawford And his Neighbor, Waiting for the wing officer to Come And lock me in the cell. I was Approached from behind, With no warning. I was beaten by fist Kicked And Stumped, Whetled Slamed to the ground Whetled hard. They made Remarks; get him they hate GAY People because GAY People CARRY Aids. The beaten did not stop. MY Pants were Pulled down in A Attempt to take MY Shoes. I ASKed for help they tayed to take MY clothes. One of them Suggested Killing me. At least 10 minutes had Passed. A Nurse WAS Coming on the wing to Pass out meds to the wing. I Remember being Able to Pull MY Pants up And Wipe off the URINE i defecate on the back of, MY hand. One of them had A Ketch up bottle Which he Used to SPRAY

#### VI. Relief:



dURING the Attack. I WAS Able to Make it to the front door where I Passed out UNCONSCIOUS the Ambulance WAS Called they Rushed me to John H. STROGER JR. Hosp of Cook County TRAUMA Unit Act #: 0189554561 MR# 004317235C The beaten took Place in Protective Custody Part of Jail. Wing A-C INV. Batter badge # 193 Cook County Sheriff Police took Pictures And filed information. He left A Phone Number to Contact him. In November 2006, Again I WAS Attacked, the Gangs SAID I had to PAY them Rent. I SAID I Would tell Police. I WAS Stabbed twice in the face with what felt like A Sharpe Pointed ice pick. I had to get Seven different Stitches. I filed grievance but Nothing WAS done. I have Medical Record At CERMAK of injuries. I Wrote the Supt of div II And the Chief, telling them About how the inmates Were breaking out there cells, Sharping knives, displaying knives, Officers Not Staying on duty OR And Walking Around during checks on the cells, which should have been EVERY 15 min. No one Responded. Before the Attack, even happened.

State briefly exactly what you want the court to do for you. Make no legal arguments.  
Cite no cases or statutes.

Relief being sought for by And  
thurs this Court is \$3,000,000<sup>00</sup> OR And  
Monetary. And Plaintiff would like case  
tried by a jury

#### CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 12 day of 10, 2007

October 12, 2007



(Signature of plaintiff or plaintiffs)

Paul Smith

(Print name)

B52357

(I.D. Number)

Post Office Box 711

Menard, Illinois 62259

(Address)